

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

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LINDA WHEELER, \*

Petitioner, \*

v. \*

SECRETARY OF HEALTH  
AND HUMAN SERVICES, \*

Respondent. \*

\* \* \* \* \*

No. 13-783V

Special Master Christian J. Moran

Filed: November 22, 2016

Attorneys' fees and costs; award in  
the amount to which respondent does  
not object.

Renee J. Gentry, Vaccine Injury Clinic George Washington University Law  
School, Washington, DC, for Petitioner;

Glenn A. MacLeod, U.S. Dep't of Justice, Washington, DC, for Respondent.

### **UNPUBLISHED DECISION ON FEES AND COSTS<sup>1</sup>**

On November 9, 2016, petitioner moved for attorneys' fees and costs in the above-captioned matter. Upon review of the application, respondent raised no objections to the attorneys' fees and costs sought. Petitioner requests reimbursement for attorneys' fees and costs in the amount of **\$38,972.95**. The Court awards this amount.

On October 8, 2013, Linda Wheeler filed a petition for compensation alleging that the flu vaccine, which she received on October 19, 2010, caused her to suffer Guillain-Barré Syndrome and Chronic Demyelinating Inflammatory Polyneuropathy ("CIDP"). The undersigned issued a decision awarding

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<sup>1</sup> The E-Government Act, 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

compensation to petitioner based on the parties' joint stipulation. Decision, issued Aug. 30, 2016, 2016 WL 5468253.

Because petitioner received compensation, petitioner is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e). Petitioner seeks a total of **\$38,972.95** in attorneys' fees and costs. In compliance with General Order No. 9, petitioner states that he advanced no monies for reimbursable costs in pursuit of his claim.

After reviewing the request, the Court awards the following:

**A lump sum of \$38,972.95 in the form of a check made payable to petitioner and petitioner's attorney, Renee J. Gentry, of the Vaccine Injury Clinic George Washington University Law School, for attorneys' fees and other litigation costs available under 42 U.S.C. § 300aa-15(e).**

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court shall enter judgment in accordance herewith.<sup>2</sup>

**IT IS SO ORDERED.**

s/Christian J. Moran  
Christian J. Moran  
Special Master

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<sup>2</sup> Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by the parties' joint filing of notice renouncing the right to seek review.